

NOV 21 2005

**MARSH FISCHMANN & BREYFOGLE LLP**

Attorneys at Law

51 Broadway, Suite 502  
Fargo, ND 58102

Telephone (701) 293-0301 • Facsimile (701) 293-0286

**Date:** November 21, 2005

**To:** U.S. Patent and Trademark Office  
Group Art Unit 3739  
Examiner: M. Peffley

**Facsimile:** (571) 273-8300

**Telephone:**

**From:** James L. Johnson, Esq.  
Reg. No. 34,193  
Direct Dial: (701) 293-7680

**Re:** Patent Application No. 10/723,320  
Attorney Docket No. 40197-00538

**Message:** Request for Status included herewith.

---

**Total Number of Pages:** 2

If you need a confirmation or any of the pages sent again, please call our offices at the following number: 701-293-0301. SENT BY: Ruth E. Ostgulen.

**CONFIDENTIALITY NOTE:** The information contained in this facsimile transmittal sheet and document(s) that follow are for the exclusive use of the addressee and may contain confidential, privileged and non-disclosable information. If the recipient of this facsimile is not the addressee, or a person responsible for delivering this facsimile to the addressee, such recipient is strictly prohibited from reading, photocopying, distributing or otherwise using this facsimile transmission, or its contents, in any way. If the recipient has received this facsimile transmission in error, please call us immediately and return the facsimile transmission to us via the United States Postal Service. Thank you.

NOV 21 2005

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HEIM ET AL.

Serial No.: 10/723,320

Filed: 11/25/03

Confirmation No.: 9459

Atty. File No.: 40197-00538

For: "ELECTROSURGICAL MODE  
CONVERSION SYSTEM"

) Group Art Unit: 3739

) Examiner: M. PEFFLEY

REQUEST FOR STATUS OF  
PENDING APPLICATION

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted via facsimile to the  
U.S. Patent and Trademark Office on the date shown below.

Print or Type Name: RUTH E. OSTGULEN

Signature: *Ruth E. Ostgulen*

Date: 11/21/05

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reviewing our file, we note that an Office Action has not been issued for this application.

Applicant respectfully requests a status update with regard to the above-identified application at  
your earliest convenience.

Respectfully submitted,

MARSH FISCHMANN &amp; BREYFOGLE LLP

By: *James L. Johnson*James L. Johnson  
Registration No. 34,193  
3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
(701) 293-7680

Date: 11/21/05